



San Diego City Attorney **MICHAEL J. AGUIRRE**

NEWS RELEASE

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Contact: Maria Velasquez, Communications Director (619) 235-5725 mvelasquez@saniego.gov

CITY ATTORNEY URGES CALIFORNIA GOVERNOR TO JOIN THE CITY'S CIVIL LAWSUIT AGAINST SUNROAD

San Diego, CA: In a letter delivered today to the San Diego Office of Governor Arnold Schwarzenegger, San Diego City Attorney Michael Aguirre, requested that the Governor "ask the California Department of Justice Office of the Attorney General to join" in a civil lawsuit that the City of San Diego has filed against Sunroad Enterprises over the construction of the Sunroad Centrum 12 Office building near Montgomery Field.

The Sunroad building has been declared an aeronautical hazard by the Federal Aviation Administration and the California Department of Transportation with both agencies having issued numerous warnings to the City and developer regarding the 180 foot height.

"It is my hope that after learning the facts surrounding the construction of the Sunroad Centrum Building the Governor will deem it appropriate to support the California Department of Transportation and intervene in this matter on behalf of the citizens of San Diego and the people of the State of California," said City Attorney Michael Aguirre.

Background:

Since April 2006, Sunroad has known that the Federal Aviation Administration considered the Sunroad Centrum I building a hazard to air traffic at Montgomery Field; however, they have proceeded to complete the building.

In October 2006, the California Department of Transportation Division of Aeronautics requested the assistance of the City Attorney's Office to compel the City to issue a Stop Work Notice to halt the construction of the Sunroad building.

On October 27, 2006, a Stop Work Notice was issued by the City.

Despite all of the actions taken, Sunroad continued to complete the building at the prohibited height of 180 feet-- under the guise of "weatherizing" the building which the City's Development Services Department approved by letter on December 21, 2006.

(MORE)

On January 19, 2007, the California Department of Transportation (Caltrans) sent a harsh letter criticizing the City for its failure to enforce the stop work notice on the building. The letter also vigorously supports the City Attorney's lawsuit filed against developer Sunroad Enterprises as the "necessary first legal step in removing the hazard posed by the Sunroad Centrum 1 building." The correspondence was sent to the City's Deputy Chief of Land Use and Economic Development, the Mayor, and City Council.

The City Attorney's Office recently released Interim Report #17, A Special Report to the City Council Regarding Sunroad Centrum 12 and Sunroad Residential Development, that provides evidence detailing the construction of the 180 foot building called Sunroad Centrum 12, which the Federal Aviation Administration has determined is a hazard to air navigation due to its close proximity to Montgomery Field.

The Aircraft Owners & Pilots Association, Inc., and the Community Airfields Association of San Diego have also joined the City Attorney's lawsuit.

Visit the website www.sandiegocityattorney.org to view *Interim Report #17*, "City Attorney Interim Investigative Reports," and the letter to the Governor, "Significant Reports and Legal Documents."

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